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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/914,280	02/01/2002	Taku Yokoyama	450101-02920	3537
75	90 03/26/2003			
William S Frommer Frommer Lawrence & Haug 745 Fifth Avenue			EXAMINER	
			MARC, MCDIEUNEL	
New York, NY 10151			ART UNIT	PAPER NUMBER
			3661	3661
			DATE MAILED: 03/26/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

		/ A				
	Application No.	Applicant(s)				
	09/914,280	YOKOYAMA, TAKU				
Office Action Summary	Examiner	Art Unit				
	McDieunel Marc	3661				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the (corresponaence address				
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period of - Failure to reply within the set or extended period for reply will, by statute - Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). Status	36(a). In no event, however, may a reply be ting within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	nely filed ys will be considered timely. In the mailing date of this communication. ED (35 U.S.C. § 133).				
1) Responsive to communication(s) filed on 01 F	ebruary 2002 .					
2a) This action is FINAL . 2b) ⊠ Th	is action is non-final.					
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims 4) \(\sum_{\text{claim}} \text{Claim} \) 1. 25 in/ore pending in the application						
 4) ☐ Claim(s) 1-25 is/are pending in the application 4a) Of the above claim(s) is/are withdraw 						
5) Claim(s) is/are allowed.	WITHOUT CONSIDERATION.					
7) Claim(s) is/are objected to.	· · · · · · · · · · · · · · · · · · ·					
8) Claim(s) 1-25 are subject to restriction and/or	election requirement.					
Application Papers						
9)☐ The specification is objected to by the Examine	r.					
10)☐ The drawing(s) filed on is/are: a)☐ accept	oted or b) objected to by the Exa	miner.				
Applicant may not request that any objection to the						
11)☐ The proposed drawing correction filed on	_ is: a)☐ approved b)☐ disappr	oved by the Examiner.				
If approved, corrected drawings are required in reply to this Office action.						
12) The oath or declaration is objected to by the Examiner.						
Priority under 35 U.S.C. §§ 119 and 120						
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).						
a)⊠ All b)□ Some * c)□ None of: —						
1. Certified copies of the priority documents have been received.						
	2. Certified copies of the priority documents have been received in Application No. <u>PCT/JP00/09434</u> .					
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 						
14) Acknowledgment is made of a claim for domesti	c priority under 35 U.S.C. § 119(e) (to a provisional application).				
 a) The translation of the foreign language pro 15) Acknowledgment is made of a claim for domest 						
Attachment(s)						
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1	5) Notice of Informal	y (PTO-413) Paper No(s). <u>7</u> . Patent Application (PTO-152)				
S. Patent and Trademark Office						

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DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-16 drawn to an information transmission system of self-controlling type robots, which belongs to class 700 subclass 245

Group II claim(s) 17-25, drawn to an on-line sales system, which belongs to class 705 subclass 1.

2. The inventions listed as Groups I-II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

As described above "an information transmission system of self-controlling type robots", "an on-line sales system" and "a commercial transaction method in which a product distributor that sells a product makes a contract" lack the same technical features.

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Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

3. A telephone call was made to Mr. William S. Frommer Reg., 25,506 on Friday, March 21, 2003 to request an oral election to the above restriction requirement, however Mr. William S. Frommer was not available.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the

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examiner should be directed to McDieunel Marc whose telephone number is (703) 305-4478. The examiner can normally be reached on 6:30-5:00 Mon-Thu.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski, Jr. can be reached on (703) 308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

McDieunel Marc

January 17, 2003

MM/